IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2652 OF 2004.

Sakharam D. Patil & Ors. ..Petitioner

versus

Jaysing G. Gurav ..Respondent.

Mr.P.D.Dalvi for the petitioner

Mr.M.r.Suryavanshi for the Respondent

Coram : S.R.Sathe, J.
Dated : 13th Feb., 2006

P.C.

1. Heard both the learned Advocates.

2. As plaintiff's application for temporary injunction was rejected by the 3rd Additional District Judge, Kolhapur, the plaintiff has filed the present petition.

3. From the perusal of the impugned order it is very clear that the 3rd Additional District Judge has properly appreciated the material on record and has rightly held that plaintiff has made out prima facie case for granting temporary injunction as prayed. There is no error of law in the order passed by the Additional District Judge. Moreover, the said temporary injunction is in operation for

last about two and half years. Hence, there is no substance in the petition. The petition is dismissed.

4. It is made clear that the observations in this order should not influence the trial court while disposing the suit on merits.

(S.R.Sathe, J.)